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OFFICE OF PETITIONS

In re Application of
Carol Ann Trufant
Application No. 09/591,147
Filed: June 9, 2000
Title: Intergroup Working Model For Social
Conflict Resolution

ON PETITION

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed August 7, 2006 and supplemented on August 8, 2006.

The petition to withdraw the holding of abandonment is **GRANTED**.

This above-identified application was held abandoned for failure to timely file an appeal brief and submit the accompanying fee. Applicant filed a Notice of Appeal on January 9, 2006 . Pursuant to 37 CFR 41.37(a) applicant was required to file an Appeal brief two months from March 9, 2006. An advisory action was mailed on January 18, 2006 indicating the amendment submitted on January 9, 2006 failed to place the application in condition for allowance. A Notice of Abandonment was mailed on July 10, 2006.

In the present petition, petitioner contends the Notice of Abandonment was mailed prematurely because pursuant to 37 CFR 1.136(a) petitioner's time period of reply was extendable for an additional five (5) months. Thus, petitioner contends the maximum time period for reply expires on August 10, 2006.

Pursuant to 37 CFR 1.136, petitioner was eligible to purchase an additional five months to reply to the Notice of Appeal. Thus, the last day petitioner could timely submit a reply was August 9, 2006. A review of the record shows that on petition, petitioner has submitted a five month extension of time with the accompanying fee of \$1,080.00, and notification of the filing of a continuation-in-part application.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

Since the only response submitted is a continuing application, this application is now abandoned in favor of the continuation-in-part Application No. 11/462,913 filed on August 7, 2006.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.



Charlema R. Grant
Petitions Attorney
Office of Petitions